



NO SCENTS IN SELLING: Porky, the skunk, shown here peering over the arm of Lisa Scuffle, 12, isn't for sale anymore. Lisa's mother had planned to sell him because she didn't think her six children were living up

to their promises to help care for Porky at their Louisville, Ky. home. After the children complained, Mrs. Scuffle relented. (AP Wirephoto)

Muskie Appears To Have The Nod

McGovern Promises His Veep Choice 'Within Few Days'

WASHINGTON (AP) — George McGovern, the Democratic presidential candidate, says he will announce within a few days his choice of a running mate to replace Sen. Thomas F. Eagleton of Missouri. McGovern reportedly is checking a half-dozen or so names with other leading Democrats to determine the

acceptability—and background — of those under consideration. Apparently, on the basis of hints and speculation, the most likely replacement for Eagleton is Sen. Edmund S. Muskie of Maine. The 1968 Democratic vice-presidential candidate is generally acceptable to all elements of the party, and he is

already well known nationally. Muskie, a Catholic and a New Englander, would provide balance for McGovern, a Midwestern Methodist.

Idaho's Sen. Frank Church, a protestant, seemed to throw cold water on speculation he might receive the nod. He recommended McGovern find someone who would add more variety to the ticket.

Besides Muskie and Church, speculation has centered on former Democratic National Committee Chairman Lawrence P. O'Brien, Boston Mayor Kevin White and R. Sargent Shriver, former ambassador to France and one-time Peace Corps director. And the name of Sen. Edward M. Kennedy—who says he doesn't want the job—continues to crop up.

McGovern is believed looking for a close friend who is relatively noncontroversial.

Eagleton turned out to be too controversial following disclosure last week that he had been hospitalized for mental depression in 1960, 1964 and 1966 stemming from nervous exhaustion and fatigue.

His withdrawal from the Democratic ticket Monday night following a nearly two-hour meeting with McGovern made him the first major-party candidate for the vice presidency ever to accept and then give up the nomination.

The St. Louis Post-Dispatch editorialized Tuesday that "McGovern's ill-advised decision will haunt him through a campaign which, before it has really begun, has lost its flavor for many Americans who thought they saw in Mr. McGovern the embodiment of tolerance and character."

The newly constituted Democratic National Committee must meet to approve a new nominee but it is expected to go along with McGovern's preference. One McGovern adviser said Tuesday a meeting is being planned for next Monday in Washington. But, he added, (See back page, sec. 1, col. 1)



SEN. EDMUND MUSKIE Will He Get Nod?

Kissinger Back; Not Optimistic

WASHINGTON (AP) — Henry Kissinger is back from Paris and a renewed effort to break the Vietnam peace talks stalemate.

A White House spokesman said President Nixon's assistant for national security affairs returned Tuesday night from the secret talks with Hanoi Politburo member Le Duc Tho and Xuan Thuy, head of North Vietnam's Paris delegation.

Kissinger, who has made 14 previous trips to the French capital for private talks, relayed a terse report to Nixon before boarding an Air Force jet for the return flight to Washington. He will give the President a more detailed account today at the White House.

White House officials and North Vietnamese spokesmen in Paris refused to discuss details of the talks.

Kissinger flew to Paris on Monday—four days after Nixon told a news conference "we hope to do everything we can to bring this war to an end" in the three months before the elec- (See back page, sec. 1, col. 2)

'Back To Africa Movement' Note Bares Hijack Motive

DETROIT (AP) — A note to a friend, scribbled on a piece of yellow legal-sized paper, may contain clues to the motives of at least one of five suspected skyjackers of a Delta Air Lines

jet to Algeria, the Detroit Free Press said today.

The plane was diverted Monday from Miami to Algeria.

The Free Press said in a copy-right story that a Detroit

woman, Jean McNair, 25, left the note behind in a box of toys she and her husband, Melvin McNair, 23, took to the home of Loretta Murphy last week. They told Mrs. Murphy they were going to Africa "sometime this month."

Mrs. Murphy said the McNairs didn't say they were going to hijack a plane. "I was shocked when I found out," Mrs. Murphy told the Free Press. "She was my best friend. She was like a sister to me."

Another friend of the McNairs said the couple practiced voodoo.

The FBI said the hijack group consisted of the McNairs, their two children; Joyce Tillerson and her child Kenya; Harry Singleton, and Larry Burgess.

In Algiers, U.S. officials were hopeful the Algerian government would return the \$1 million paid the hijackers.

Two months ago, the Algerian government returned \$500,000 collected in the hijacking of another U.S. airliner. The hijackers of that plane remained in Algeria.

In New York, Bernice Jones of the Black Panthers said the Panthers' delegation in Algiers had telephoned that the government had decided to

return the latest ransom money and also was considering returning the hijackers. The Algerian government reportedly dislikes the idea it is running a hijackers' haven.

The hijacked Delta DC8 and its crew of eight was released from Algiers and was returning to the U.S. after an

overnight stop at Barcelona, Spain.

The Free Press quoted Mrs. Murphy as saying she and Mrs. McNair had talked often about "what the white man has done to us and how he still keeps us as slaves."

Mrs. Murphy said she didn't always agree with Mrs. Mc-

Nair, who is a former school teacher.

The long note Mrs. McNair left behind, and printed by the Free Press, stated:

"This material world that you're being taught is where it's at, isn't it. Get into man before education and money become the thing. The people survived and didn't need what we're taught to believe. Trace yourself and your history back to the beginning. My search has led me to Africa..."

She described "life in the U.S. and anywhere else the white man has gone" as "hell...the military state shaping up and the U.S. falling...see the world not being destroyed as whitey would have us see, but see it returning to what it was."

"Get into the tribes of Africa and elsewhere that are constantly being discovered and (See back page, sec. 1, col. 8)

Appeals Court Says State Can Vote On Abortion

LANSING, Mich. (AP) — The Michigan Appeals Court refused today to block election officials from placing a controversial abortion reform question on the Nov. 7 general election ballot.

The court dismissed a request for an order against the Board of State Canvassers, saying it found no fault in procedures used by state election officials to verify petition signatures requesting the late fall vote on the issue.

Barring further appeal to the Supreme Court, the ruling today clears the way for voter consideration of a proposition that abortions should be legally available to any woman through the 19th week of pregnancy.

Current state law permits abortions only to save a woman's life.

The suit against the fall election referendum on the question was filed by a trio of doctors with two other men and a woman linked by employment or other affiliation to the Michigan Catholic Conference.

They charged that the Board of State Canvassers relied on "guesswork" in checking validity of petition signatures. Stuart Hubbell, Traverse

City lawyer representing the group, argued in several presentations to both the Canvassers and the Appeals Court that no statistically valid effort was made to find out how many signatures might be defective.

The group's argument was based on substantial returns from college communities, where it was supposed many students might have signed ballot petitions without being registered voters.

"This allegation is without merit," the court said. "We find nothing in the statute or Constitution which indicates that the methods employed by (the board) were improper or illegal. To the contrary, the record indicates that even utilizing the procedures employed by the plaintiffs, the petitions bore sufficient signatures without taking into account the final filing."

Golf at Paw Paw Lk. G.C. Adv.

"You're A Good Man Charlie Brown" Musical Comedy Aug. 2-6. Sister Lakes Playhouse. Adv.

PHONEGRAMS are fun to play and may win you valuable prizes. Today's game appears on page 20. Adv.

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EVERY KID'S DREAM: For Paul Mureiko, the rain brings an instant playground of mud around his Hanover Park, Ill., home. For his parents, the rain brings headaches, flooded basements and mud-clogged streets and lawns. The area's residents say that builders have not lived up to their promises to improve the conditions, and each cloudburst means hours of scraping and cleaning to get rid of the muck. (AP Wirephoto)

Approval Of Levies For County Hospital Urged

Berrien General Answers Tax Foes

A stand by administrators of the four private general hospitals in Berrien county opposing tax millage proposals for Berrien General hospital until a countywide health care plan is developed, drew a statement in response from the board of trustees of Berrien General.

The trustees' statement follows in full:

The Board of Trustees of Berrien General hospital must take exception to the contention by administrators of the four private general hospitals in Berrien county that tax money for necessary improvements at Berrien General should be

withheld until a complete plan for health care in the county is made available to the public.

While the BGH board has gone on record as being eager to cooperate and work with other area hospitals and the Health Planning association in drawing up such a plan, we must note that planning efforts have been in progress for about three years, but the Health Planning association is still in its organizational stages and the actual task of drawing up a comprehensive health care plan for Berrien county is just begun. We cannot afford to wait. The need is now.

The BGH board feels it would be irresponsible to assume the State Health department would accede to an extension of its October 5 deadline for closing the hospital unless definite plans for improvements are produced, particularly in the face of evidence to the contrary. We are, however, again contacting that department asking for a determination as to whether they would be favorably inclined towards extending the deadline to allow completion of a comprehensive plan for health facilities in Berrien county.

Furthermore, it would seem that the public stance taken by

the administrators of the four private hospitals in Berrien county could, in effect, possibly circumvent such planning. If the electorate of Berrien county could be convinced it should withhold necessary tax support for Berrien General hospital pending the completion of such a planning process under the assumption that the State Health department would extend its deadline for the closing of Berrien General hospital, and that assumption should prove to be erroneous; then the

(Continued on page 35)

THE HERALD-PRESS

Editorial Page

W. J. Banyon, Editor and Publisher
Bert Lindenfeld, Managing Editor

A Chance To Do More Than Talk About Ecology

There's an outstanding buy for Berrien county voters on next Tuesday's election ballot. It's the proposal to authorize the county to purchase 2,000 acres of parks, recreation and wilderness land.

The cost is small: four-tenths of a mill tax for 10 years. That amounts to about \$4 a year on a home with a market value of \$20,000.

County-wide, the tax would raise \$328,000 the first year. That's only a part of the money that becomes available if the parks program is approved. In all likelihood, there would be matching grants from federal and state sources equal to the amount raised by the county.

Parks is possibly a bad word to describe the chief impact of the proposed purchase program. Although recreational activities are planned from boat launching to baseball, the chief impact would be to preserve "green belts" throughout the county.

Like most other areas along the lower Great Lakes, Berrien county is building rapidly. Unless some concerted effort is made to preserve open spaces, this county soon could be nothing but pavement, factories and condominiums. The future quality of life in Berrien county very well may be determined by how much unspoiled land is retained for its residents to enjoy.

The Berrien County Parks Commission has endorsed a multi-use approach to the land that is to be acquired, leaving some sections in wilderness while making other areas available for a variety of recreational activities.

The latter includes such things as nature study and conservation, swimming and skin diving, boat launching, bicycling, camping, trail cycling, snowmobiling, water skiing, fishing, picnicking, field games, and so forth.

The projects would focus upon four of the county's major waterways: Lake Michigan, the Galien river, the St. Joseph river, and the Paw Paw river. The property that has been earmarked for acquisition is spotted around the entire county—from north to south, from east to west. Total development would mean that

every county resident would, within 10 years, live not more than seven miles from a county park.

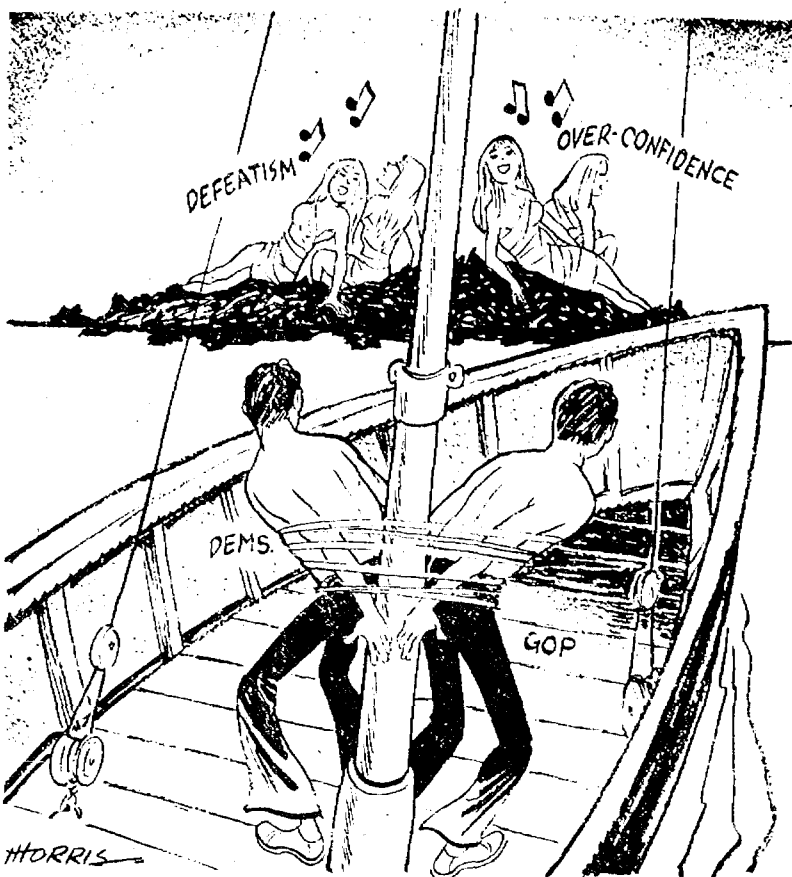
Financing of the program is not only cheap but well thought-out. A total of 72 per cent of the money raised over the 10-year period would be used for land acquisition. Much of the rest would be used for development, and some for operation.

Nowadays, many private citizens talk about preserving the ecology. Far fewer do something about it. One who has is Emil Tosi, Stevensville restaurateur, who has headed up a citizens committee promoting the land preservation program. Another is Ben Baldwin of Bridgman, Berrien Parks and Recreation chairman. Still a third is Walter Laetz, vice president of Auto Specialties Manufacturing Company. Laetz headed a committee which prepared a brochure—one of the best seen in these parts for many a year—outlining the details and benefits of the land conservation plan. Raising the money for the brochure, he had the considerable assistance of his boss, Ausco's president Lester C. Tiscornia.

This is the kind of ecological effort that deserves support. By voting a small tax upon themselves, Berrien county residents can all participate in keeping the land where they live an attractive place in which to work and play.

Incidentally, there is more than ample assurance this is not the type of program that will go astray. Each site purchased will have a professional development plan. The views of all citizens, as well as civic and service clubs, and other groups, organizations and community interests will be asked before the plan is prepared. Then the plan will be presented to the county Parks Commission, and public hearings will be held so everyone will have a chance to know what's going on and express a view. Any such plan can be changed if enough people want to change it. The whole concept appears to have been soundly conceived, is economical, and merits strongest support.

Keep Yourselves Tied To The Mast, Boys!



GLANCING BACKWARDS

REISER COMBINES WITH KERLEY

—1 Year Ago—

The Reiser Mortuary of Benton Harbor, founded in 1923, has been combined into the Kerley & Starks Funeral Home, Inc., St. Joseph, effective today, according to announcement by Robert Starks, president of Kerley & Starks.

The transaction brings together the two oldest funeral homes in the Twin Cities. The Reiser Mortuary was opened in 1923 by the late Bernard Reiser, and in the following year Louis Kerlikowske, still

active with Kerley & Starks, began to serve the St. Joseph area.

MANAGER NAMED

—10 Years Ago—

Robert I. Thole, former manager at Grand Rapids, has been named business office manager in the Twin City area for the Michigan Bell Telephone company, it was announced.

Thole succeeds James W. Helmrich, manager here since April, 1960. Helmrich has been transferred to Livonia, a suburb of Detroit, where he will be sales manager for the firm.

CONGRESSEYES FDR'S TAX REQUEST

—29 Years Ago—

President Roosevelt's renewed request for "stiff" increases in taxes — made in a review of the revised \$105,889,000,000 budget for this fiscal year — appeared likely today to be countered in congress with bi-partisan demands for closer scrutiny of government spending.

Senator Wherry (R-Neb.) told an interviewer he believed the huge financial problem ought to involve reduced government outlays as well as enactment of new taxes. "Some of the unnecessary appropriations must be curtailed if we are going to keep American financially sound," Wherry declared.

LICENSE SALES

—39 Years Ago—

All but 300 Berrien county motorists have bought their 1933 Michigan license plates, according to George Selfridge, manager of the license bureau.

AT GARDEN SHOW

—49 Years Ago—

Mrs. W. L. Wilson of Niles avenue and Miss Rose Dickinson of Lake View avenue have gone to Lake Forest, Ill., to attend the garden show.

IN THE MOVIES

—59 Years Ago—

Manager Charles C. Pyle of the Exhibitors Film company staged some moving pictures here today with a bevy of the most charming young St. Joseph girls taking part. The first scene was taken at the Hotel Whitcomb.

TO FURNISH MEAT

—79 Years Ago—

The Queen Anne Market has a contract for furnishing the meat for the Ringling brother's circus. The contract calls for about a ton of various kinds of dressed beef for both man and beast.

EDITOR'S MAILBAG

ATTACKS NIXON WAGE CONTROLS

Editor,

Unbelievable!! While the President (Nixon) and his payroll insists on keeping the pay raises of blue collar workers to a minimum to help curb inflation he is taking priceless world voyages, sending others on the same type of trip calling them peace-making, and most of all keeping the Paris Peace talks going for on undisclosed amount of money and results.

On page nine section one of July 29, 1972, this newspaper, two articles appear stating U.S. car makers are banking profits at a record pace.

1 - G.M. earnings over one billion dollars for first six months of 1972!!

2 - Ford Motor Company \$534 million in first six months.

3 - Chrysler \$104 million in first six months.

4 - American Motors \$27 million in nine months.

That isn't bad considering the Big Four auto makers are granted an average of \$150.00 per unit per year increase. Do their taxes go up on an equal basis??

Are the increases ever denied? The answer is NO! Why?

If we are limited on our paltry raises, let's see if the government is going to limit the large manufacturing industries on an equal basis of earnings, and curb inflation of the millionaires wallets also.

Sheldon Friske
4793 Wil-O-Paw
Coloma.

PITY FOR THIEF WHO STOLE FLOWERS

Editor,

To whom it may concern: Two days ago my children and I planted three large, yellow mum plants on the grave of our father and husband, whom we buried just eleven days ago. We did not want the grave to look so bare until a marker and headstone could be installed. Today we discovered that all three plants were taken and only the holes in the ground left.

I wonder what kind of a human being can be so cruel to

inflict this added pain on us.

I cannot be angry with you, whoever you are, but have the profoundest pity for you. In the end, it is you who must face and live with your conscience. May God forgive you.

Mrs. Darrell (Scotty) Burke and children
971 Ramona
Benton Harbor.

SMALL AMOUNTS GET LARGER

Editor,

I read just recently this sub-headline in this newspaper "Parks group means business". We must admit that they are correct. Someone got the business of printing up and sending out the 65,000 brochures.

Seriously, shouldn't we consider this a matter of priorities? Continually we overburdened taxpayers are told that this or that project is only going to cost us a "small amount". However, between the township, county, state and federal governments those small amounts, added together, tend to get rather large for the average taxpayer.

Very honestly, I'm one hundred per cent for as many parks and recreational facilities as we can afford but it is time we became realistic. Think, just for a moment, of all the taxes you are paying today. Then ask yourself if you are satisfied with the way some of it is being spent.

We've all seen the bumper sticker that reads "I fight poverty, I work", and have chuckled at its excellent

(See page 41 col 1.)

Brewery Sold

At South Bend

DETROIT (AP) — Associated Brewing Co. announced Tuesday it has completed sale of its plants in St. Paul, Minn., and Evansville and South Bend, Ind., to G. Heileman Brewing Co. Inc. for \$17.5 million.

Associated said it received \$11.4 million in cash and Heileman assumed operating liabilities of about \$6.1 million.

Bruce Blosser



Nixon's Strategy: No Name-Calling

WASHINGTON (NEA) — Republican strategists believe President Nixon has reelection victory in hand, provided he and Vice President Agnew maintain a tight discipline and keep off the low road of personalities and name-calling.

Discipline, indeed, is a key word in the Nixon camp these days. There is a determination not to be drawn into a free-swinging campaign. The judgment is that it is almost the only thing which could unite the torn Democrats and give some real hope to Sen. George McGovern.

The President himself is said to be so fully committed to a high-level, issue-oriented effort that he may engage in traditional campaigning only in the final two weeks before election this year.

And, according to present plan, Mr. Nixon may watch most of the Miami Beach Republican convention from his White House perch, staying above mundane politics until the time comes for his acceptance speech on Aug. 23.

It has already been reported that the President personally has admonished Spiro Agnew to refrain from direct personal assault on McGovern and his running mate, Sen. Thomas Eagleton. I am told this advice has been given to Agnew by others as well.

The vice president clearly was reflecting this careful counsel when he said a few days ago in Anchorage, Alaska, that this time it should be

"possible" for him to campaign strictly on the issues.

Underlying this strategy is the notion that, for the first time in his several quests for the presidency, Nixon's men see his opponent more as a focus on controversy than he is. They want to keep it that way.

They see McGovern stuck with a divided party, moderately plagued by internal staff squabbles, hung with confusing, disputed positions on welfare, tax reform, defense spending, amnesty for draft evaders.

In the view of Nixon's advisers, keeping to the high road does not rule out ample and continuing reference to McGovern's controversial proposals. They will be hammered hard by a variety of administration spokesmen.

The President's strategists think McGovern will respond by trying to portray himself as the victim of a "mean campaign," as the target of a typical "Old Nixon" barrage. The senator already has said some things in South Dakota that fit this pattern.

But Nixon's people question whether this posture will be convincing to many U.S. voters so long as the President himself "keeps his mouth shut" on McGovern the man.

If their judgment is correct, the consequence could be a further weakening of the long Democratic effort to sustain major hatred for Nixon as an evil figure who must be cast out of the White House at all costs.

Mortenne Means

Politicians' Lives Become Public



WASHINGTON — The case of Sen. Thomas Eagleton raises again an old and sensitive question: When do personal events in the private life of a political figure become a legitimate subject for public concern?

In the past decade, the impact of television and a more flexible attitude toward old taboos have greatly reduced the privacy of all public personalities. But, despite the difficulties this occasionally imposes upon those involved, the Eagleton affair clearly indicates that the trend toward total openness has not gone far enough.

Moralizing should be avoided at all costs. But it is in the interest of the voters to be able to assess their public servants on the basis of such personal questions as health and emotional condition as well as on their public promises and official deeds.

Tradition, taste, and a sort of mutual sympathy for universal human weaknesses have restrained reporters from airing in public the personal

problems of Presidents, Congressmen, and lesser officials. It probably should not be the public's business if a man fights with his wife or has a mistress on the side.

But there are other areas traditionally considered private that may have an effect upon the way in which an official conducts his job. For instance, drinking habits and mental and physical health are three such important areas.

Would the voters of Missouri three times have elected Eagleton to high public office if they had known he had difficulty coping with pressure? Maybe they would and maybe they wouldn't, but the point is they certainly should have had that information to help them make up their minds about his character and ability.

A few years ago, columnists Drew Pearson and Jackson Anderson ran a series of articles indicating that the late House Armed Services Chairman Mendel Rivers had a terrible drinking problem. They were roundly attacked for unfairness and cruelty. Yet they were perfectly correct to expose Rivers' weakness. He was making decisions every day in his role as chairman that affected national security and he could not have been functioning at full capacity. The public had a right to know that.

All during Franklin Roosevelt's Presidency, the White House photographers had an agreement never to snap him in his wheelchair or being lifted into or out of cars, etc. Similarly, reporters did not often mention that he was crippled. Consequently, the public for the most part had the impression that Roosevelt was a healthy man. Perhaps he would not have been elected four times if the voters had fully realized the limitations on his stamina.

Laird Planning To Leave Post

WASHINGTON (AP) — Secretary of Defense Melvin R. Laird has repeated his intention to resign on Jan. 20, and believes Gov. Nelson Rockefeller of New York and former Secretary of the Treasury John Connally would be qualified to succeed him.

Selling Soft On Hardware

The consumerism movement owes much, possibly most, of its impetus to the tendency of permitting the marketing manager to put in his lieks before the production department has completed its homework.

In the competitive push to beat the other fellow many companies rush a product into the marketplace under the theme of sell now and repair or replace later.

This is a situation made to order for a Ralph Nader and others to discredit the entire business community.

A Pittsburgh appliance maker is taking the opposite tack.

Its technicians have come up with what could be a salesman's dream, but the company is going slow on the switcheroo of its engineering skill outpacing its sales department's ability to handle it.

Today's kitchen is a great improvement upon the one with which Grandma contended, but the heatless stove is still around the corner.

The infra-red cooker which is close to the dream has an image problem. A steak can be cooked properly but it doesn't have that desired charring effect on the outside.

Therefore, the trick is to come up with the charcoal broiler appearance minus the heat, smoke and preparatory requirements to achieve it.

Our man in Pittsburgh has developed a stove working on the electrical induction principle.

He has successfully field tested it and his cost accountants tell him the

production expense may be only 60 per cent of the original projections.

This would seem to be the summity in all systems are go.

Not so, at least not yet. Among other things the management has reduced the normal warranty period from three years to one.

A company spokesman gave this explanation: "We don't want a whole lot of people to buy them yet; we still want to learn a little more."

This is scarcely to be picked as the advertising slogan of the year, but presumably the outfit knows what it is doing.

After all, who came out first in that fabled race between the tortoise and the hare?

Taking It With You

The romance of railroading may not be dead yet, for private enterprise has come up with a possible solution to the economic ills of passenger transportation that should give Amtrak something to think about.

Auto-Train, operated by the Auto Train Corp., has elicited nothing but satisfaction from patrons in runs between Lorton, Va., outside of Washington, D. C., to Sanford, Fla., near Disney World. A family of four, for example, can take the family car with it for the price of the tickets, dinner and breakfast included.

The cash outlay is significantly lower than air transport and availability of the automobile at the end of the line is an appreciable convenience.

This is a nation on wheels and Amtrak ought to reassess the sagacity of a potentially profitable idea, one that Congress foolishly dismissed when the Department of Transportation sought funds for such a service in 1966.

If Auto-Train's expanding schedule proves profitable over the long run, Congress would do well to examine anew Amtrak's less than spectacular performance to date. It should consider whether Auto-Train's piggyback ride is not worth emulating in the interest of improved rail health.

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BERRY'S WORLD



"Let's hope that he and Bobby Fischer are just going through a phase!"

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State Sues BH Firm Alleging Air Pollution

Two Standard Alloys Plants Named

The state attorney general's office Tuesday on behalf of the Michigan Air Pollution Control Commission sued Michigan Standard Alloys, Inc., of Benton Harbor to halt alleged air pollution from the firm's

two plants. Patrick J. Devlin, assistant attorney general in the environmental protection division, claims in suit that MSA's zinc plant at 1256 Milton street and aluminum plant on

Arthur Mendel road are polluting the air with particulate matter and smoke in violation of a MAPCC "final order" of Sept. 21, 1971.

Suit was filed Tuesday in Berrien circuit court, St. Joseph. The case was assigned to Judge William S. White and a show cause hearing for MSA to answer plaintiff's request for preliminary injunction is set for Aug. 14 at 11 a.m.

The three-count suit claims MSA is violating a MAPCC order setting out a timetable for pollution abatement; that it violates the state environmental protection act; and that it creates a public nuisance.

It also seeks \$31,100 in damages, plus \$100 a day for every day of violations after Aug. 1.

The suit claims neither the zinc plant melting furnaces on Milton nor aluminum plant melting furnaces on Mendel road are equipped with air pollution control devices meeting MAPCC rules. Both plants emit particulates, the suit claims.

Suit seeks a preliminary and permanent injunction commanding MSA to "forthwith cease and desist operating, allowing or permitting to be operated, any air pollution source on said premises in violation of the aforesaid Final Order of Determination."

That order, the suit claims, required MSA to submit plans and specifications for zinc and aluminum smelter collection equipment by Sept. 30, 1971; required control of white smoke from the aluminum plant by Dec. 31, 1971; control of black smoke from the aluminum plant by March 1, 1972; and required the installation of high-efficiency collection equipment on zinc furnaces by March 1, 1972.

The defendant has failed to meet terms of the final order, suit claims.

It alleges MSA Vice President Jay Fowler admitted the firm was not in compliance with MAPCC rules and agreed

to terms of the final order at a commission hearing in Lansing Aug. 17, 1971. The order was entered without MSA appeal Sept. 21, 1971, suit claims.

Jewell Fires Jail Guard

Berrien Sheriff Forrest (Nick) Jewell said he fired a county jail guard for improper release of a prisoner Saturday.

Jewell said the guard, Winsett Banks, 53, mistakenly released a man awaiting arraignment on a drunk and disorderly charge. Jewell said Banks mistook the prisoner for another man who had voluntarily checked himself into jail as an overnight "sleeper."

The mistake was discovered Monday morning when the man arrested on the drunk charge was to be arraigned and couldn't be found.

The missing prisoner was identified as Howard Lamkins, 26, of 816 North Wells street, Chicago, who had been arrested by Berrien Springs-Oronoko police department. Police were searching for him.

The sleeper was released Saturday.

Banks had been a jail guard three years.

Shoreham Approves Office

Shoreham village council last night approved a plan to permit development of a dental office in the present Church of Christ, 2115 Brown school road, St. Joseph.

Village building regulations permit professional offices in the home. But Dr. E. H. Ward, who has offered to purchase the church and move his dental practice there, does not plan to reside there.

Shoreham councilmen last night assigned the task of re-writing village regulations to Atty. John Collins. He will write the ordinance to permit limited professional use of buildings in the village. Approval, however, will have to be via public hearings and council approval.

The council approved building permits to C. J. Kublick to complete a house on Brown School road and to Roger Curry to add a room at his home at 2164 Hanley road.

Traffic Deaths

By ASSOCIATED PRESS
Aug. 2 State Police count:
This year 1,226.
Last year 1,189.

Tickets On Sale For Coloma FOP Chicken Barbecue

COLOMA -- Tickets are now available at the Coloma township hall for the barbecue chicken dinner being sponsored by the Paw Paw Lake, Fraternal Order of Police lodge Friday through Sunday.

Tickets cost \$1.50 per person. Proceeds are to be used to build an FOP lodge in Coloma township.

The chicken barbecue will be held from 10 a.m. until 10 p.m. in Baker park, during the annual Coloma Galadious Festival.

Announcement of the tickets was made by Lodge President Lloyd Carr. Carr also announced area police officers have tickets for sale too.



BURGLARY AFTERMATH: F. Joseph Flaugh III inspects ransacked room at home of parents, Mr. and Mrs. F. Joseph Flaugh Jr., 1235 Colfax avenue. Benton Harbor police said home was ransacked early yesterday afternoon, and number of articles taken.

Police recovered a stereo set, shotgun, and alarm clock cached in ravine behind house, but three bicycles and .20 gauge shotgun were still missing. Officers said home was entered through door or open window. (Staff photo)

Trade Union Officers Endorse Zollar, Jewell

Officers of the Benton Harbor-St. Joseph Building Trades Council (AFL-CIO) have endorsed the candidacies of Charles O. Zollar for Fourth District congressman and Forrest (Nick) Jewell for Berrien county sheriff.

Announcement was made by Arthur G. Bowie, council president, who said the officers will ask their membership to support Zollar and Jewell in the primary election next Tuesday. Both are Republicans. Sixteen crafts are affiliated with the council.

Bowie said there were no other endorsements at this time but others will be forthcoming for the November

election.

The statement said officers "feel that Sen. Zollar will be a big asset to the community and can help improve conditions in southwestern Michigan."

"They also feel that Nick Jewell has run an efficient sheriff's department and that he is worthy of being re-elected as sheriff."

State Sen. Zollar is seeking the nomination for congressman against incumbent Edward Hutchinson and Andrew Wich, Niles.

Jewell is opposed by Joe Heward.

Blamed On Kitty

Berrien sheriff's deputies reported a 15-year-old St. Joseph youth was injured yesterday when he fell off his mini-bike after striking a cat.

Jeffrey Southland, 15, 4499 Tanglewood drive, was treated for a broken collarbone and bruises at St. Joseph Memorial hospital and released, deputies said.

The youth told officers he was riding his mini-bike in a vacant field near his home at 6:25 p.m. yesterday when he struck a cat with the front wheel. He was injured when the bike flipped and he was thrown off, deputies stated.

The investigating officer did not indicate what happened to the cat.

Hutchinson Bike Campaigners Start Long Trip

Despite a continuing light rain this morning, a "Youth Truth Squad" of young bicyclists made at least a token start on a bike hike across the Fourth Congressional district in support of Congressman Edward Hutchinson.

Congressman Hutchinson and his wife braved the rain on a tandem bicycle to lead the young cyclists from his campaign headquarters, 1120 Niles avenue, St. Joseph, toward the city's south limits.

The Hutchinsons headed the dozen cycles for about two blocks, then wheeled out of line and waved the two-wheeled caravan on.

Plans call for the group—comprised of young people of voting age and below—to make

a four-day trip over the some 175 miles to Lenawee county at the eastern edge of the elongated district. Participants will talk with people enroute on behalf of Hutchinson's candidacy for re-nomination in the Aug. 8 primary.

Hutchinson aides said that because of the rain, the cyclists were to be transferred from their cycles to a van for at least the distance to Berrien Springs.

The aides were optimistic the visibility would improve and the rain would cease so the squad could return to their cycles this afternoon.

Scheduled major stops on the jaunt are at Niles, Three Rivers, Sturgis, Coldwater, Hillsdale and Adrian.

14 Million Cars Recalled

DETROIT (AP) — Chevrolet led the caravan of automobile recalls during the 12 months ending June 30, with 6.6 million cars recalled in a single campaign, the National Highway Traffic Safety Administration's fiscal year-end report shows.

Automobile manufacturers recalled more than 14 million cars in 282 separate campaigns during the period. This was the largest number for any year since the enactment of the National Motor Vehicle Safety Act of 1966, the report said.

Chevrolet, with its recall of autos built in 1965 through 1969 for possible engine mount defects, accounting for 47 per cent of the vehicles recalled, the report said.

Dentist Guilty Of Smuggling Pot In Trailer

STERLING HEIGHTS, Mich. (AP) — A Sterling Heights dentist pleaded guilty Tuesday to smuggling marijuana from Mexico to Detroit in the false ceilings of house trailers.

Dr. Leonard A. Staffel, 56, admitted concealing and transporting 1,450 pounds of marijuana and government officials say they agreed to drop two other narcotics charges against Staffel in exchange for the guilty plea. No sentencing date has been set. Staffel could be sent to prison for up to 20 years and fined \$5,000 by Federal Judge Lawrence Gubow.

Benton Nursing Home Receives Final Approval

Approval of a request for a new convalescent home in Benton township highlighted last night's meeting of the Benton township board of trustees.

The request, by Drs. Nicholas and Ilalina Minkevich, of 1950 Fairplain avenue, asked for a special permit to construct the home. Preliminary plans show the home will be erected on a site bordered by Lynch avenue on the south with Pearl and Superior streets and Columbus avenue running into it on the north.

The two Fairplain psychiatrists said the home will be built to house 30 beds, with future plans to expand to 60 beds at an unspecified date. A similar convalescent home is already in operation in the



DAVID F. UPTON
Backs Nixon

Upton Named Chairman

David F. Upton, president of Benton Harbor Abstract & Title Co., has been named Berrien county chairman of the Michigan Business and Industry Committee for the Re-election of the President.

Announcement of the appointment was made by Herbert (Ted) Doan, president of Doan Associates of Midland and state chairman of the business campaign group.

As Berrien county chairman, Upton will help enlist area business and industrial leaders in the campaign to re-elect President Nixon.

Upton is a former state legislator and member of the GOP State Central committee. He is a vice president of Michigan United Fund, chairman of the Berrien County Mental Health Services, and chairman of the Governor's Commission on Statute Review of Mental Health.

Teen Accused Of Murder

KALAMAZOO, Mich. (AP) —

A 16-year-old youth Tuesday was charged in Kalamazoo County Juvenile Court on two counts of murder in the Sunday night stabbing death of another teenager, James Lee, 16, of Comstock.

The youth charged will undergo psychiatric examination and is being held in Kalamazoo City Jail under bond of \$50,000.

Keeler Residents To Vote On Tax Hike Sept. 5

KEELER — A proposal to add one mill to property taxes in Keeler township will go before the voters in a special election Sept. 5.

The Sept. 5 date was set by the township board last night, after the board had failed to meet a deadline for the Aug. 8 election.

The one-mill levy would apply for five years and contribute to improvements in secondary township roads. Based on the current equalized valuation, Supervisor John Gillespie said, the additional mill would contribute \$11,000—\$12,000 each year.

CanAmer Group Will Support Parks Program

The board of directors of the Berrien County Olympian and CanAmer Games has voiced its support of the "Parks for the Public" program of the Berrien County Parks and Recreation commission.

The commission is asking voter approval of a .4 of a mill tax levy in the Aug. 8 primary election to acquire and develop park sites and begin a recreation program.

Mrs. Kay Masini of St. Joseph, chairman of the Olympian and CanAmer Games board, stated:

"Our board commends the Berrien County Parks and Recreation commission for its foresight and efforts to provide recreation for the people of Berrien county. Although in the first few years monies will be utilized primarily for land acquisition, this is where a good recreation program begins."

Coloma 'Glad' Festival Opens Friday

*Royalty Crowning, Kiddies Parade Kickoff
Annual Three-Day Event*

COLOMA — This year's annual three-day Gladiolus festival gets underway here Friday with sidewalk sales, a barbecue, official opening

ceremonies and the annual Kiddies fun parade. The official opening is slated for 6 p.m. in Baker park with the crowning of the Prince and

Princess of the festival. The royalty was selected through a penny-a-vote program conducted earlier. At 6:30 p.m. the parade will

travel down Paw Paw avenue in the heart of the Coloma business district, with the division winners receiving their trophies and ribbons at Baker park at the conclusion of the parade. Over 100 entries are expected.

The entrants will form at the corner of Washington street and Paw Paw avenue beginning at 5:30 p.m.

The winning entry in each division will appear in the Gladiolus Festival parade, Saturday, beginning at 1 p.m.

Assisting Wes Besson in the kiddies fun parade is Mrs. Richard Steele.

The schedule for the festival shows:

FRIDAY

Sidewalk sales in downtown Coloma; Kiddies rides and amusements at Coloma high school parking lot. Flea market sale in parking lot of LaSalle Federal, all day.

Book sale by Coloma Jaycee Mrs. in Ladybug parking lot, 9:30 a.m.

Fraternal Order of Police chicken barbecue located in Baker Park, 10 a.m. to 10 p.m.

Official opening in Baker park, followed by crowning of Prince and Princess; Lions food fair opens in Baker park, 6 p.m.

Kiddies parade, 6:30 p.m.

SATURDAY

Lions food fair in Baker park, 6 a.m. to 6 p.m.

Coloma Jaycee Mrs. book sale, 9:30 a.m.

Fourth annual creative arts show, Baker park and adjacent park areas, 10 a.m. until dusk.

FOP barbecue, Baker park, 10 a.m. to 10 p.m.

Kiddies amusement rides, Coloma high school parking lot; sidewalk sales, Flea market, all day.

Annual Gladiolus parade, 1 p.m.

Annual Gladiolus flower show, high school cafeteria, 4 p.m.; Chamber of Commerce auction, LaSalle Federal Savings and Loan association building, 4 p.m.

Polka dance, at Shadowland ballroom, St. Joseph, 9 p.m.

SUNDAY

Pancake breakfast, baker park, 6 a.m. to noon; Lions food fair, 6 a.m. to 6 p.m.

Creative arts show, Baker park, all day.

FOP barbecue, Baker park, 10 a.m. to 10 p.m.

Flower show, amusement rides, high school; flea market sale, all day.

Chicagoland Water ski association show, at Strongs resort, Paw Paw lake, 2-4 p.m.

Dr. Yuhn First Psychiatrist To Practice In Niles

NILES — Dr. Robert B. Yuhn of Elkhart, is establishing psychiatric practice here and is

to serve as consultant for the Riverwood Community Mental Health center in Niles and the Cass county community mental health clinic in Cassopolis.

He is the first psychiatrist to open practice in Niles. His addition to staff at the health center means treatment program is to be expanded to provide services previously available only at center's main operation in St. Joseph.

Yuhn will conduct practice through office of Dr. F. H. Lindenfeld. A native of Korea, Yuhn is a naturalized citizen and received his doctorate degree from the University of Tokyo in 1956.



DR. ROBERT B. YUHN
Opens practice

Lawton Meeting Canceled

LAWTON — Last night's scheduled meeting of the Lawton village council was canceled for lack of a quorum.

Village President Robert P. Russell said he would reschedule the meeting for later this month.

Ruling Clears Way For New Buffalo Housing Project

BY BRANDON BROWN
Staff Writer

NEW BUFFALO — A Berrien circuit court judge's ruling Tuesday in St. Joseph has cleared the way for a proposed \$9.6 million condominium development here.

Judge William S. White, ruling from the bench in St. Joseph, knocked out 1960 property restrictions barring any but single-family dwellings on some 30 acres planned for a 350-unit condominium development in the City of New Buffalo.

The question of damages to nearby subdivision dwellers from alleged diminution of property value due to the condominiums goes to a jury later, however.

Judge White's ruling follows a 5½-day nonjury trial last April and May by condominium

landowners, developers and the City of New Buffalo against six sets of nearby subdivision residents seeking a court ruling negating restrictions that would bar condominiums.

One of the defendants, Joseph Debiak of 1160 Shore drive, New Buffalo, telephoned this newspaper in the wake of Judge White's ruling to take issue with it and promise an appeal "to the supreme court if necessary."

The city was a plaintiff because its city water treatment works is located on nearby land also restricted to single-family dwellings.

The plaintiffs—former landowners Mr. and Mrs. Peter M. Kerhulas of St. Joseph township and New Buffalo Atty. Stephen Roumell, developers Gerald Pals and associates of the Chicago area,

and the city—sought a judgment saying private recorded restrictions on the 30-acre condominium site were scrivener's error and a mistake. They were recorded in 1960. The Kerhulas' and Roumell are former owners of the 30 acres.

The defendants pleaded restrictions were intentional and sought damages from alleged depreciation of their property if restrictions were tossed out and condominiums come in.

The defendants, all residents near the 30 acres in question, were Mr. and Mrs. Conrad J. Schmitt, Joseph Clemens, Mr. and Mrs. John Ohms, C.E. Newhouse, Mr. and Mrs. Joseph Debiak, and Anna Jane Huot.

Judge White ruled: That the defendants can't act against or enjoin operations of the City of New Buffalo water treatment facility; that restrictions on land that Pals plans for condominiums are an accident and scrivener's error; and that Kerhulas and Roumell did not have a general plan of single-family dwellings for land in question because it would be economically sound due to the land's dune and wooded nature.

But the judge also ruled that defendants may have a jury trial—date not set—on two questions: Whether plaintiffs misrepresented to defendants that land now planned for condominiums would be single-family dwellings; and whether defendants' land will be diminished in value by nearby condominiums.

During trial, held April 18-21 and May 9-10, the plaintiffs were represented by St. Joseph Attys. Paul Taglia and Joseph Killian, and the defendants by St. Joseph Atty. Tat Parish.

Efforts to build condominiums started two years ago when Pals bought land and sought rezoning. The rezoning was upheld in a public vote.

Bank Gets New Owner

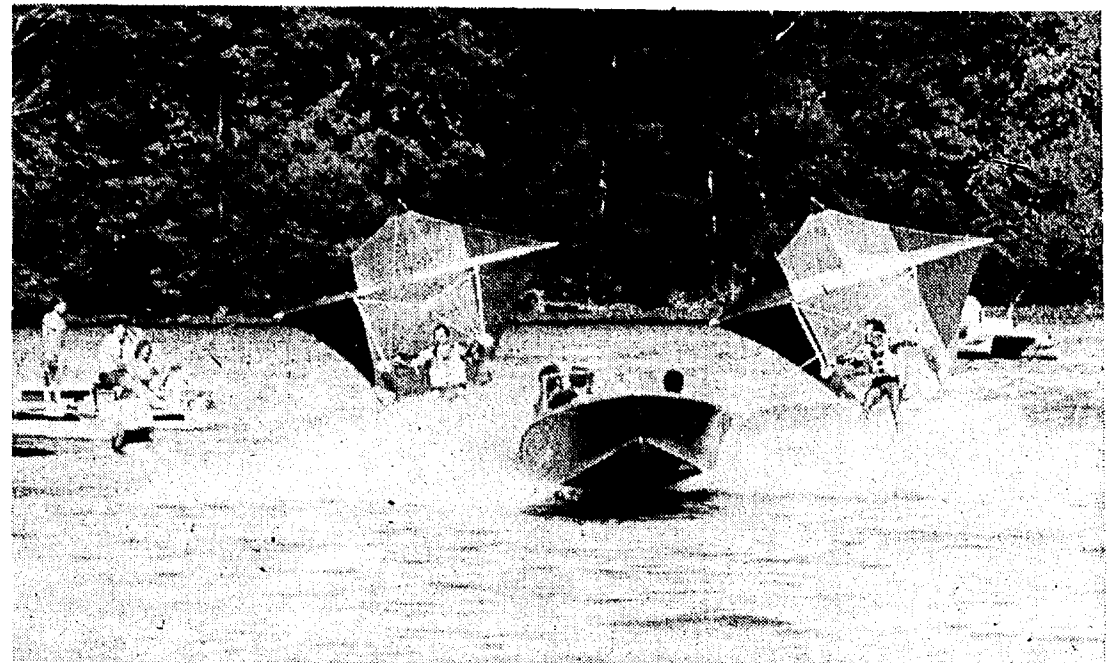
LANSING, Mich. (AP) — The Bank of Lansing will be acquired by Northern States Financial Corporation, proposed holding company for City National Bank of Detroit, City National President Benjamin Paddock III announced Monday.

The Bank of Lansing—the state's 26th largest with assets of \$151 million and deposits of \$138 million—will retain its present board of directors and president, Paddock said.

"The policy of Northern States toward acquisitions is to maintain a strong board of directors made up of leading citizens," he explained.

Andrew Creamer, Bank of Lansing president, labeled the transaction "in the best interests of depositors and shareholders," since it allows the Lansing bank to draw on the resources of a billion-dollar organization.

Merger is expected in September after Federal Reserve Board approval of Northern States acquiring 100 per cent of City Bank's stock plus stockholder ratification.



KITE GLIDERS: These kites will be part of performance by Chicagoland Water Ski show at 2 p.m. Sunday on Paw Paw Lake near Coloma as part of the Coloma Gladiolus festival. Show will take place in front of Strong's Resort, on Paw Paw Lake road, and is sponsored by the Coloma Jaycees. Spectators will be

admitted free but the Jaycees are asking a one dollar donation for parking, which will be spent for various community projects. Kites are specially designed with a gull-shaped wing and can be guided like a glider. Skiers will present 20 acts.

CLOSEOUT SALE

Sears

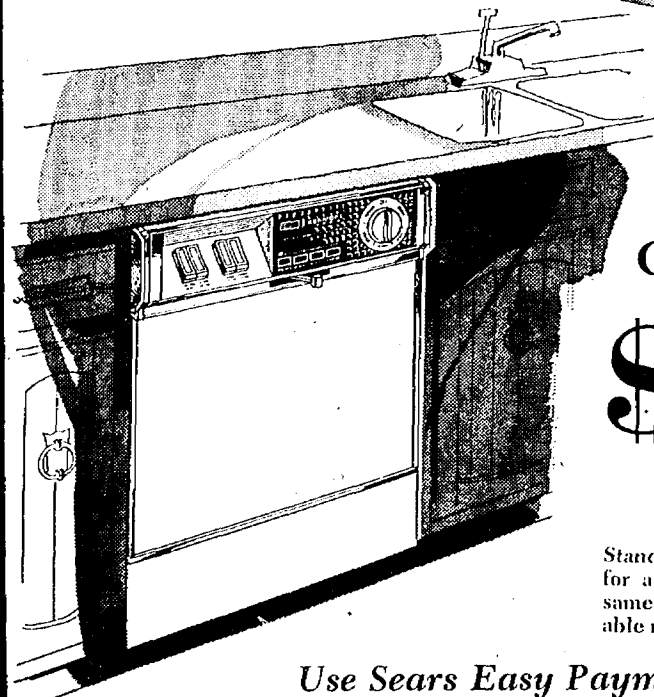
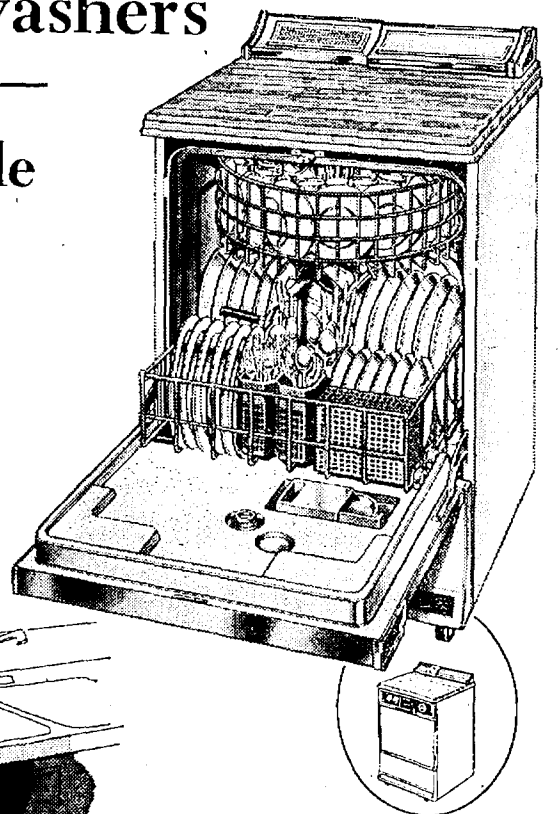
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SOUTH BERRIEN Rash Of Break-Ins

BERRIEN SPRINGS — Four south Berrien county police agencies are investigating a rash of break-ins and larcenies occurring or reported yesterday.

State police at Niles were called to the migrant recreation center near here yesterday afternoon after it was discovered that a fire extinguisher and adding machine were missing.

Police said the break-in was discovered late Monday night, but it was not immediately determined whether anything was missing.

Niles township police reported apprehending two Niles boys, ages 10, and 13, as they were leaving Oak Manor elementary school late yesterday afternoon. Police said three cartridge tapes were

recovered. The boys were petitioned into probate court.

Buchanan police and Berrien sheriff's deputies in Galien subdivision are investigating break-ins of three houses at the city limits on West Fourth street yesterday. Edward Proud reported a \$150 engagement ring and \$15 in half dollars missing; Alfred Lurhsen listed \$46 in change taken; and a can of pop was reported partially consumed at the Donald Wolfe residence. The break-ins reportedly occurred after 7:30 a.m. yesterday.

State police also are investigating theft of a 1971 model motorcycle, valued at \$500, from the front yard of the Gordon Shackelford residence, 2115 Spansail street in Niles township Monday night.